



House of Representatives

General Assembly

File No. 276

February Session, 2010

Substitute House Bill No. 5314

House of Representatives, April 1, 2010

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT BANNING CADMIUM IN CHILDREN'S JEWELRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2012*) (a) As used in this
2 section:

3 (1) "Cadmium" means elemental cadmium and any compounds or
4 alloys which contain cadmium; and

5 (2) "Children's jewelry" means any jewelry, including charms,
6 bracelets, pendants, necklaces, earrings or rings, that is designed or
7 intended to be worn or used by children twelve years of age or
8 younger and is sold or distributed at retail for which the manufacturer
9 has made a reasonable statement about the intended use of the
10 product.

11 (b) Except as provided in subsection (c) of this section, on and after
12 July 1, 2014, no person shall manufacture, sell, offer for sale or
13 distribute in this state any children's jewelry that contains cadmium at

14 more than .004 per cent by weight.

15 (c) The provisions of this section may be enforced, within available
16 appropriations, by the Commissioner of Consumer Protection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	New section

KID *Joint Favorable Subst. C/R* ENV

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 to FY 13\$	FY 14 \$
Consumer Protection, Dept.	GF - Potential Cost	None	Up to 1,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential cost to the Department of Consumer Protection of up to \$1,000 per year beginning in FY 14. The cost is associated with the testing of children's jewelry for cadmium which would be carried out through a contract with private firms. Currently, the cost of testing for cadmium varies from \$50 to \$200 per sample. It is estimated that as many as five such tests would occur in any one year. Under the bill these provisions are to be implemented within available appropriations and will result in one of four outcomes: (1) the agency will proceed with the required duties, and may require a deficiency appropriation; (2) the agency will delay the implementation of the bill pending the approval of additional appropriations to meet these requirements; (3) the agency will shift staff resources from other agency priorities, thereby impacting existing agency responsibilities and duties; or (4) the agency will not be able to implement the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5314*****AN ACT BANNING CADMIUM IN CHILDREN'S JEWELRY.*****SUMMARY:**

Beginning October 1, 2013, this bill prohibits children's jewelry containing cadmium or its compounds or alloys of more than .004% by weight from being manufactured, sold, offered for sale, or distributed in Connecticut. The Department of Consumer Protection (DCP) has enforcement powers, within appropriations. The bill does not specify investigative procedures or what penalties the department can impose. But it appears that DCP has the authority to waive of some of the bill's provisions.

Children's jewelry means jewelry (1) designed or intended to be worn or used by children under age 13 and (2) sold or distributed at retail by manufacturers who have made a statement about its intended use. Jewelry includes charms, bracelets, pendants, necklaces, earrings, or rings.

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Cadmium***

All soils and rocks contain some cadmium. Most cadmium in the United States is extracted during the production of other metals like zinc, lead, and copper. Cadmium does not corrode easily and is used in such products as batteries, pigments, metal coatings, and plastic.

The U.S. Department of Health and Human Services has determined that cadmium and cadmium compounds are human carcinogens. A few studies in animals indicate that the young absorb more cadmium

than adults. Animal studies also indicate that the young are more susceptible than adults to a loss of bone and decreased bone strength from exposure to cadmium.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 10 Nay 2 (03/09/2010)

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 0 (03/17/2010)